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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
CHEN, VIVIAN	

ART UNIT	PAPER NUMBER
1773	11

DATE MAILED: 10/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/098,613	SMITH ET AL.	
	Examiner	Art Unit	
	Vivian Chen	1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 July 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) *17 and 18* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 19-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-28* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 March 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *7,9* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

(a) comonomer:

(1) perfluor(alkyl vinyl ether) (claim 16);

(2) perfluoro(propyl vinyl ether) (claim 17);

(3) hexafluoropropylene (claim 18).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, 1-15, 18-28 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. During a telephone conversation with Mr. Sharer on 9/24/2003 a provisional election was made with traverse to prosecute the invention of species (1), claim 16. Affirmation of this election must be made by applicant in replying to this Office action. Claims 17-18 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686

F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 1-16, 19-28 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over:

(a) claims 1-35 of U.S. Patent No. 6,531,559 (SMITH ET AL); or

(b) claims 1-49 of U.S. Patent No. 6,548,612 (SMITH ET AL).

The above patents each claim a melt-processible fluoropolymer with the melt flow index values, melting point, comonomer content, elongation or strain at break, crystallinity, and other recited features. However, while the above patents do not explicitly claim properties such as strain at break and tensile strength, since the tetrafluoroethylene copolymers claimed in the above patents are substantially similar in composition and numerous physical properties as those recited in the present application claims, the Examiner has reason to believe that the polymers claimed in the above patents have strain at break, tensile strength and other properties which are substantially similar to those recited in the present application claims, therefore the Examiner has basis for shifting the burden of proof to applicant as in In re Fitzgerald et al., 205 USPQ 594. The Examiner also has reason to believe that the mol% of comonomer recited in the above patents are comparable to and/or inclusive of the wt% range recited in claim 1.

6. Claims 1-16, 19-28 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 68-129, 135-143 of copending Application No. 09/505,279 (allowed).

The above copending Application claims a melt-processible fluoropolymer with the melt flow index values, stress at break, melting point, comonomer content, elongation or strain at break, stress at breakt, and other recited features. However, while the above patents do not explicitly claim properties such as crystallinity, since the tetrafluoroethylene copolymers claimed in the above copending Application are substantially similar in composition and numerous physical properties as those recited in the present application claims, the Examiner has reason to believe that the polymers claimed in the above patents have crystallinity and other properties which are substantially similar to those recited in the present application claims, therefore the Examiner has basis for shifting the burden of proof to applicant as in In re Fitzgerald et al., 205 USPQ 594. The Examiner also has reason to believe that the mol% of comonomer recited in the above patents are comparable to and/or inclusive of the wt% range recited in claim 1.

This is a provisional obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-16, 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/08071 (hereinafter WO '071).

WO '071 discloses a melt-processible tetrafluoroethylene polymer with the recited melt flow index values, crystallinity, melting point, comonomer content, and other recited features. However, while the above patents do not explicitly claim the recited mechanical properties such as strain or elongation at break or stress at break or tensile strength, since the tetrafluoroethylene copolymers disclosed in the above reference are substantially similar in composition and numerous physical properties as those recited in the present application claims, the Examiner has reason to believe that the polymers claimed in the above reference has mechanical properties which are substantially similar to those recited in the present application claims, therefore the Examiner has basis for shifting the burden of proof to applicant as in In re Fitzgerald et al., 205 USPQ 594. The Examiner also has reason to believe that the mol% ranges of comonomer recited in the above patents are comparable to and/or inclusive of the wt% range recited in claim 1.

It would have been obvious for one of ordinary skill in the art at the time the invention was made to utilize known melt-processible PTFE polymers with superior mechanical properties in order to make durable, strong articles.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivian Chen whose telephone number is (703) 305-3551. The examiner can normally be reached on Monday through Thursday from 8:30 AM to 6 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau, can be reached on (703) 308-2367. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

October 1, 2003

Vivian Chen
Primary Examiner
Art Unit 1773

DETAILED ACTION

1. Claims 1-67 have been cancelled by Applicant.

Election/Restrictions

2. Applicant's election without traverse of the species "perfluoroalkyl vinyl ether" in Paper No. 10 is acknowledged.

3. Claims 130-134 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 10.

Specification

4. The amendment filed 3/5/2002 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: new claim limitations directed to an elongation at break of at least 250%.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 78, 88-106, 111 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention, for the reasons stated above in the objection to the amendment filed 3/5/2002 under 35 U.S.C. 132.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 87, 106, 124 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "dense component" in claims 87, 106, 124 is a relative term which renders the claim indefinite. The term "dense" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Double Patenting

9. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible

harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

10. Claims 68-129, 135-138 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable claims 1-33 of copending Application No. 09/369,319 (allowed) in view of LUNK ET AL (US 4,859,836) ***or*** LUNK ET AL (US 4,624,990).

Copending Application No. 09/369,319 claims a melt-processible fluoropolymer with the melting point temperatures, elongation at break, melt flow index, composition and comonomer content, absolute value of the complex viscosity, state of being void-free, and other properties recited in the present application, and articles made thereof. However, the copending Application does not explicitly claim blends containing a zero melt index fluoropolymer or the use of fillers.

The LUNK ET AL references disclose that it is well known in the art to blend a melt-processible tetrafluoroethylene copolymer with a non-melt-processible tetrafluoroethylene polymer in order to form melt-processible coating and molding compositions with good mechanical, electrical, and thermal properties, wherein the compositions also contain up to 15 wt% filler (LUNK ET AL '836; lines 47-63, col. 2; lines 10-22, col. 5) (LUNK ET AL '990; lines 45-67, col. 2; lines 17-35, col. 5) as recited in claims 82-87, 101-106, 119-124.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the melt-processible tetrafluoroethylene copolymer of copending Application No. 09/369,319 in known blends as disclosed in the LUNK ET AL references in order to readily form useful articles. Since the tetrafluoroethylene copolymers claimed in copending Application No. 09/369,319 are substantially similar in composition to those recited in the present application claims, the Examiner has reason to believe that the copolymers claimed in the copending Application have stress at break values which are substantially similar to those recited in the present application claims, therefore the Examiner has basis for shifting the burden of proof to applicant as in In re Fitzgerald et al., 205 USPQ 594.

This is a provisional obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 68-81, 88-100, 107-118, 125-129 are rejected under 35 U.S.C. 103(a) as being unpatentable over MAYER ET AL (US 5,641,571).

MAYER ET AL discloses a melt-processible polytetrafluoroethylene (PTFE) polymer comprising at most 3 wt% comonomer wherein the comonomer is a perfluoroalkylvinyl ether such as perfluoropropylvinyl ether (PPVE), wherein said PTFE polymers have melt flow index

(MFI) values of 6.6 g/10 min for polymers with 0-0.9 wt% comonomer (Examples 1-2, 4). However, the reference does not explicitly disclose the recited physical properties.

Since the PTFE polymers disclosed in MAYER ET AL have comonomer contents and MFI values substantially similar to those recited in the present application claims, the Examiner has reason to believe that the copolymers in MAYER ET AL have melting temperatures, stress at break, elongation at break, plateau value of the complex viscosity, and void content which are substantially comparable to those recited in the present application claims, therefore the Examiner has basis for shifting the burden of proof to applicant as in In re Fitzgerald et al., 205 USPQ 594.

13. Claims 82-87, 101-106, 119-124, 135-138 are rejected under 35 U.S.C. 103(a) as being unpatentable over MAYER ET AL (US 5,641,571) as applied to claims 68, 88, 107, 125 above, and further in view of LUNK ET AL (US 4,859,836) ***or*** LUNK ET AL (US 4,624,990).

MAYER ET AL as relied upon above.

The LUNK ET AL references disclose that it is well known in the art to blend a melt-processible tetrafluoroethylene copolymer with a non-melt-processible tetrafluoroethylene polymer in order to form melt-processible coating and molding compositions with good mechanical, electrical, and thermal properties, wherein the compositions also contain up to 15 wt% filler (LUNK ET AL '836; lines 47-63, col. 2; lines 10-22, col. 5) (LUNK ET AL '990; lines 45-67, col. 2; lines 17-35, col. 5) as recited in claims 82-87, 101-106, 119-124, 135-138.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the melt-processible PTFE polymers of MAYER ET AL in

known blends as disclosed in the LUNK ET AL references in order to readily form useful articles with good processibility and desirable physical properties.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

NAMURA ET AL (US 5,604,999) and CHU ET AL (US 5,317,061) discloses tetrafluoroethylene copolymers with very low comonomer contents.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivian Chen whose telephone number is (703) 305-3551. The examiner can normally be reached on Monday from 8:30 AM to 6 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau, can be reached on (703) 308-2367. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310 (for non-after finals) and (703) 872-9311 (for after-finals).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

May 17, 2002

Vivian Chen
Primary Examiner
Art Unit 1773

DETAILED ACTION

2NF

1. Claims 1-67, 130-134 have been cancelled by Applicant.

Claim Rejections - 35 USC § 112

2. The objection under 35 USC 132 and the rejections under 35 USC 112, first paragraph, in paragraphs 2, 4 in the previous Office Aciton have been withdrawn in view of Applicant's arguments filed 6/18/2002.

3. The rejections under 35 USC 112, second paragraph, in paragraph 6 in the previous Office Aciton have been withdrawn in view of Applicant's amendments filed 6/18/2002.

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 68-129, 135-143 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable claims 1-33 of copending Application

No. 09/369,319 (allowed) in view of LUNK ET AL (US 4,859,836) ***or*** LUNK ET AL (US 4,624,990) for the reasons set forth in the previous Office Action.

Copending Application No. 09/369,319 claims a melt-processible fluoropolymer with the melting point temperatures, elongation at break, melt flow index, composition and comonomer content, absolute value of the complex viscosity, state of being void-free, and other properties recited in the present application, and articles made thereof. However, the copending Application does not explicitly claim blends containing a zero melt index fluoropolymer or the use of fillers.

The LUNK ET AL references disclose that it is well known in the art to blend a melt-processible tetrafluoroethylene copolymer with a non-melt-processible tetrafluoroethylene polymer in order to form melt-processible coating and molding compositions with good mechanical, electrical, and thermal properties, wherein the compositions also contain up to 15 wt% filler and other additives such as electrically conductive material (LUNK ET AL '836; lines 47-63, col. 2; lines 10-22, col. 5) (LUNK ET AL '990; lines 45-67, col. 2; lines 17-35, col. 5) as recited in claims 82-87, 101-106, 119-124, 139-143.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the melt-processible tetrafluoroethylene copolymer of copending Application No. 09/369,319 in known blends as disclosed in the LUNK ET AL references in order to readily form useful articles. Since the tetrafluoroethylene copolymers claimed in copending Application No. 09/369,319 are substantially similar in composition to those recited in the present application claims, the Examiner has reason to believe that the copolymers claimed in the copending Application have stress at break values which are

substantially similar to those recited in the present application claims, therefore the Examiner has basis for shifting the burden of proof to applicant as in In re Fitzgerald et al., 205 USPQ 594.

This is a provisional obviousness-type double patenting rejection.

6. Claims 88-98, 100-106, 136 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-35 of U.S. Patent No. 6,531,559 (SMITH ET AL) and claims 1-49 of U.S. Patent No. 6,548,612 (SMITH ET AL).

The SMITH ET AL patents each claim a melt-processible fluoropolymer with the melting point temperatures, elongation at break, melt flow index, composition and comonomer content, absolute value of the complex viscosity, blends containing said fluoropolymer with other fluoropolymers, and other properties recited in the present application, and melt processed articles made thereof.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use effective amounts of conventional additives in the fluoropolymer compositions claimed in the SMITH ET AL patents in order to tailor the electrical properties, color, or other physical properties for specific applications.

Claim Rejections - 35 USC § 103

7. The rejection under 35 USC 103(a) in paragraphs 12-13 in the previous Office Action has withdrawn in view of Applicant's arguments filed 6/18/2002.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivian Chen whose telephone number is (703) 305-3551. The examiner can normally be reached on Monday from 8:30 AM to 6 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau, can be reached on (703) 308-2367. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310 (for non-after finals) and (703) 872-9311 (for after-finals).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

July 11, 2003

Vivian Chen
Primary Examiner
Art Unit 1773